

STERNS & WEINROTH

A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

50 WEST STATE STREET

SUITE 1400

P.O. BOX 1298

TRENTON, NEW JERSEY 08607-1298

(609) 392-2100

FACSIMILE

(609) 392-7956

WWW.STERNSLAW.COM

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Member, NJ, NY and GA Bars
Certified by the Supreme Court of
New Jersey as a Civil Trial Attorney
Michael A. Spero: (609) 989-5009
e-mail: msperd@sternslaw.com

October 6, 2011

Via U.S. Mail and Facsimile: 212-805-6382

Honorable Victor Marrero
United States Courthouse
500 Pearl Street, Courtroom 20B
New York, NY 10007

Re: Riviera Finance of Texas, Inc. vs. Capgemini U.S., LLC, 10 Civ. 5489 (VM)

Dear Judge Marrero:

We write in brief response to Mr. Silver's letter of October 5, 2011. With respect to his request for oral argument, Riviera is happy to argue before Your Honor concerning these issues, however we point out that in addition to already having submitted three letters each on the subject, the parties have previously addressed their arguments before Your Honor on two prior occasions (at the Status Conference held on June 17, after which Your Honor requested the parties each submit three-page letters from the parties, and then again on a telephonic status conference on July 26, 2011, after which Your Honor requested the five-page letters from the parties).

With respect to Mr. Silver's comment in his most recent submission that "Riviera for the first time responded to Capgemini's defense to Rivera's estoppels claim," we respectfully point Mr. Silver and Your Honor to paragraph III.(b) of Riviera's initial summary judgment letter, dated July 15, 2011. Riviera's entire reply letter of October 5, 2011, filed with the Court's permission, is an elaboration of the argument contained in paragraph III.(b) of the July 15, 2011 letter.

Respectfully submitted,



Michael A. Spero

cc: Gerald D. Silver, Esq. (Via Facsimile: 647-710-5260)
Riviera Finance of Texas, Inc.

The Clerk of Court is directed to enter into the public record of this action the letter above submitted to the Court by



SO ORDERED.

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10-7-11

DATE

VICTOR MARRERO, U.S.D.J.